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BILL ANALYSIS

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Senate Bill 1441 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator Virg Bernero  
Committee: Judiciary

### **CONTENT**

The bill would amend the juvenile code to require the family division of circuit court (family court) to conduct a review hearing not later than 182 days from the immediately preceding review hearing, for a child remaining in placement beyond the first year following the termination of parental rights to the child. The bill also would require the family court to conduct a permanency planning hearing within 12 months after a child was removed from his or her home, and once every 12 months after that.

Under the code, if a child remains in foster care following the termination of parental rights (except in a permanent foster family agreement or a permanent placement with a relative), the family court must conduct a hearing within 91 days after the termination of parental rights and at least every 91 days after that hearing. The bill would retain that schedule for the first year following termination of parental rights. If the child remained in foster care for more than one year following termination of parental rights, the court would have to conduct a review hearing not later than 182 days after the immediately preceding review hearing until the case was dismissed. A review hearing could not be canceled or delayed beyond the time required in the bill, but could be accelerated upon motion of any party or in the court's discretion.

In addition, the bill would require the family court to conduct the first permanency planning hearing within 12 months after the date the child originally was removed from his or her home. The court would have to hold subsequent permanency planning hearings within 12 months after the preceding hearing. A permanency planning hearing could not be canceled or delayed beyond the time required in the bill.

The bill also would allow a permanency planning hearing to be combined with a foster care review hearing, if proper notice were provided.

MCL 712A.19c

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

Please see **FISCAL IMPACT** on Senate Bill 1440 (S-1).

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